

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: HU, Wei Confirmation No.: 3778
Serial No.: 10/531,912 Group Art Unit: 1641
Filed: October 24, 2003 Examiner: Bao Thuy L. NGUYEN
FOR: **DIAGNOSTIC DEVICE**

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

The owner, Nexus Dx, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second grant of United States Patent No. 7,256,053. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent

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1. ☐ The undersigned is empowered to act on behalf of the owner, ____.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

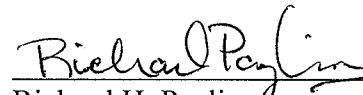
2. ☒ The undersigned is an attorney or agent of record.

Dated: March 12, 2010

COOLEY GODWARD KRONISH LLP
CUSTOMER NUMBER 58249
ATTN: Patent Group
777 6th Street, NW, Suite 1100
Washington, DC 20001
Tel: (202) 842-7867
Fax: (202) 842-7899

Respectfully submitted,
COOLEY GODWARD KRONISH LLP

By:


Richard H. Pagliery
Reg. No. 44,276